

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 802 - HB 1033**

February 14, 2023

**SUMMARY OF BILL:** Removes the current third grade retention provisions. Authorizes a local education agency (LEA) or public charter school to retain a student in the third grade if the student has not shown a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results. Authorizes an LEA or public charter school to require the student to participate in a research-based intervention approved by the LEA or public charter school before the beginning of the next school year. Removes the requirement for an LEA or public charter school to notify and provide certain information to the parent of a student in kindergarten through grade three (K-3) that the student has been identified to have a significant reading deficiency. Applies to the 2022-2023 school year and each school year thereafter.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The current third grade retention law takes effect at the end of the 2022-23 school year and requires a student in the third grade to not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee Comprehensive Assessment Program (TCAP) test.
- The proposed legislation deletes the current third grade retention law set to take effect at the end of the 2022-23 school year in its entirety and establishes new criteria for retention that are based on the student's demonstration of a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results.
- The proposed legislation does not abolish learning loss bridge camps. It is assumed that LEAs may still require students to participate in a learning loss bridge camp before entering the fourth grade; therefore, no significant impact on attendance at such camps.
- The Department of Education (DOE) will be required to update retention guidance documents and communicate with districts on the changes to retention law.
- LEAs and DOE will be able to comply with the proposed legislation within existing resources. Any fiscal impact is estimated to be not significant.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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